

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 16729 of 2004

Between:

K. Krishna Murthy, S/o K.V. Raghavendra Rao,
R/o H.No. 6-305-27, T.G.K. Nagar, Adoni, Kurnool District.

..... PETITIONER

AND

1 The Registrar of Cooperative Societies, Government of Andhra Pradesh,
Hyderabad.

2 Sree Mahayogi Lakshamma Cooperative Bank Limited, No. 72, A Class Bank,
Flower Bazar Adoni, Kurnool District, Rep. by its Chief Executive Officer.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of mandamus or any other appropriate writ or direction declaring the action of the 1st respondent in not causing any enquiry on the representation submitted by the member of the bank dated 19-8-2004 and 31-8-2004 as illegal and contrary to section 29 of the A.P. Mutually Aided Cooperative Societies Act and consequently direct the 1st respondent to cause enquiry.

Counsel for the Petitioner: MR.G.SEKHAR REDDY

Counsel for the Respondent No.1: GP FOR COOPERATION

The Court made the following :

ORDER:

The petitioner, who claims to be a member of the 2nd respondent-Bank, filed this writ petition seeking a declaration that the alleged inaction on the part of the 1st respondent in causing enquiry on the representations made by the petitioner and other members of the 2nd respondent-Bank on 19.08.2004 and 31.08.2004 as arbitrary, illegal and contrary to Section 29 of the A.P.Mutually Aided Cooperative Societies Act(for short "the Act").

The grievance of the petitioner is that though it was brought to the notice of the 1st respondent- the Registrar of Co-operative Societies, Government of Andhra Pradesh, Hyderabad, with regard to several irregularities being committed by the Chairman and Directors of the 2nd respondent-Bank in conducting elections and acting in violation of the provisions of the Act, the 1st respondent-Registrar has failed to take any action. Hence this writ petition.

I have heard the learned counsel for the petitioner and the learned Government Pleader for Cooperation appearing for the 1st respondent.

Having regard to the facts and circumstances of the case, without expressing any opinion on merits, I deem it appropriate to dispose of the writ petition with a direction to the 1st respondent to consider the representations made by the petitioner and other members of the 2nd respondent Bank dated 19.08.2004 and 31.08.2004, and to pass appropriate orders in accordance with law, as expeditiously as possible, preferably, within a period of four weeks from the date of receipt of a copy of this order. No costs.

17.09.2004

vs

To

- 1 The Registrar of Cooperative Societies, Government of Andhra Pradesh, Hyderabad.
- 2 Chief Executive Officer, Sree Mahayogi Lakshamma Cooperative Bank Limited, No. 72, A Class Bank, Flower Bazar Adoni, Kurnool District.
3. 2CCs to the G.P. for Co-Operation, High Court Buildings, High court of Andhra Pradesh, Hyderabad. (OUT).
4. 2CD copies